

DOCKET NO.: 2292-0038-0 PCT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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**NOV 20 2002**

**TECH CENTER 1600/2900**



IN RE APPLICATION OF:

Masaji ISHIGURO et al.

SERIAL NO.: 08/722,144

FILED: December 12, 1996

FOR: PENEM DERIVATIVES AND ANTIMICROBIAL AGENT CONTAINING THE SAME

:

: GROUP ART UNIT: 1624

:

: EXAMINER: BERCH, M.L.

**SUBMISSION OF FILING FEE IN RESPONSE TO  
NOTICE TO FILE MISSING PARTS OF APPLICATION (CPA)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Responsive to the Notice to File Missing Parts of Application (Form PTO-2021) dated April 17, 2002, Applicants submit herewith the statutory basic filing fee of \$740.00, and surcharge set forth in 37 C.F.R. §1.16(e) for a non-small entity application of \$130.00, for a total of \$870.00. Applicants also submit herewith the filing fee of \$810.00 for extra claims in excess of 20, and the fee of \$168.00 for extra independent claims, for a total of \$978.00. Applicants also submit herewith the five (5) month extension-of-time fee of \$1,960.00.

Our check in the amount of \$3,808.00 is submitted herewith.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Registration No.: 24, 618



22850

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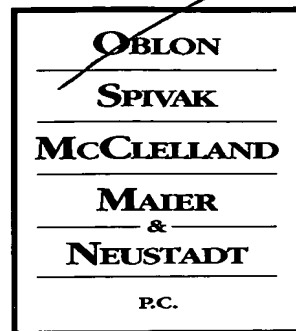
Harris A. Pitlick  
Registration No.: 38,770q



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ATTORNEYS AT LAW

ATTN: APPLICATION BRANCH

**THIS IS A RESPONSE TO A  
NOTICE TO FILE MISSING  
PARTS OF AN APPLICATION**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Re: Inventor: Masaji ISHIGURO, et al.  
Serial No: 08/722,144  
Filed: December 12, 1996  
For: PENEM DERIVATIVES AND ANTIMICROBIAL AGENT  
CONTAINING THE SAME

SIR:

Attached hereto for filing are the following papers:

**Notice to File Missing Parts of Application (CPA) – Return Copy  
Request for Extension of Time Under 37 C.F.R. §1.136 (five month)  
Response to Notice to File Missing Parts of Application (CPA)  
Information Disclosure Statement  
Form PTO-1449  
Cited References ( 3 )**

Our check in the amount of \$3,808.00 is attached covering any required fees. In the event that any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplicate of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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Docket No. 2292-0038-0 PCT



22850

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/722,144	12/12/1996	MASAJI ISHIGURO	2292-038-0	3763

22850 7590 04/17/2002

OBLON SPIVAK MCCLELLAND MAIER & NEUSTADT PC  
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1755 JEFFERSON DAVIS HIGHWAY  
ARLINGTON, VA 22202

EXAMINER

BERCH, MARK L

ART UNIT PAPER NUMBER

1624

DATE MAILED: 04/17/2002

*CPA Filing Fee Due*  
*6,700*



Please find below and/or attached an Office communication concerning this application or proceeding.

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APR 19 2002

OBLON, SPIVAK, MCCLELLAND,  
MAIER & NEUSTADT, P.C.

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Address: COMMISSIONER OF PATENTS AND TRADEMARK  
Washington, D.C. 20231

APPLICATION NUMBER	FILING /RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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DATE MAILED:

**NOTICE TO FILING MISSING PARTS OF APPLICATION (CPA)**  
*Filing Date Granted*

The Continued Prosecution Application (CPA) request filed on 6/24/01 is entitled to a filing date under 37 CFR 1.53(d)(1). The CPA request, however, lacks the filing fee(s) and/or items indicated below.

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the fee(s), item(s), and any surcharge required below to avoid abandonment of this CPA. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The total amount owed by applicant is the sum of items 1(a) or (b), 2, and 3 (if checked) below.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

(a) Applicant must submit \$ 710 to complete the basic filing fee and the \$130.00 surcharge set forth in 37 CFR 1.16(e) (non-small entity), or \$ \$40.00 to complete the basic filing fee as a small entity and the \$85.00 surcharge set forth in 37 CFR 1.16(e) and file a small entity statement under 37 CFR 1.27 claiming such status (if the prior application was entitled to small entity status and such status is still proper and desired, a new small entity statement is not required (37 CFR 1.28)).

(b) Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee as a small entity and the \$85.00 surcharge set forth in 37 CFR 1.16(e).

- ☐ 2. Additional claim fees of  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for \_\_\_\_\_ claims over 20.  
\$ \_\_\_\_\_ (non-small entity) or \$ \_\_\_\_\_ (small entity) for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☐ 3. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21 (m)).  
☐ 4. The CPA request is unsigned. Applicant must file a signed duplicate or ratification of the CPA request.  
☐ 5. Other: \_\_\_\_\_

**A copy of this Notice MUST be returned with the reply.**

Direct the reply and any questions about this Notice to: 11/19/2002 SLUANG1 00000070 08722144

Camelia Styles  
Examining Group 1624

(703) 308 - 4317

01 FC:1006	740.00 DP
02 FC:1051	130.00 DP
03 FC:1201	168.00 DP
04 FC:1202	810.00 DP